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10/040,268	10/30/2001	Randy Marchetti	1570-005	9580

7590

05/19/2003

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EXAMINER

CHOI, JACOB Y

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 05/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/040,268

Applicant(s)

MARCHETTI, RANDY

Examiner

Jacob Y Choi

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 38c & 38d. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "34a" has been used to designate both opening and seats in Figure 4. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "34" and "36" have both been used to designate opening (reference character number 34 & 36 designate openings in reversed manner). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertling et al. (USPN 5,353,203).

Regarding claim 1, Bertling et al. discloses a reflector (12, 20) comprising a first (20) and second (12) reflective concave surface regions adjacent to one another (column 3, lines 10-30), the first reflective (20) concave surface region comprising a first curvature for directing light emanating from a first focal point adjacent to but spaced apart from the first reflective concave surface region into a near field beam (low beam headlight; column 4, lines 40-65), and the second (12) reflective concave surface region comprising a second curvature for directing light emanating from a second focal point adjacent to but spaced apart from the second reflective concave surface region into a far field beam (column 4 & 5, lines 65-35), a first light source positioned substantially at the first focal point (at the light source 22), the first light source comprising a high intensity discharge light source (column 3, lines 10-20), a second light source positioned substantially at the second focal point (at the light source 14), the second light source comprising a halogen light source (column 2, lines 55-65), and a light-transmissive cover fitted over the reflector (16).

Regarding claim 2, Bertling et al. discloses the reflector is *substantially* rounded.

Regarding claim 3, Bertling et al. discloses the reflector is *substantially* circular.

Regarding claim 4, Bertling et al. discloses the first and the second reflective concave surface regions are integral with one another.

Regarding claim 5, Bertling et al. discloses the reflector is a unitary piece.

Regarding claim 6, Bertling et al. discloses the first concave reflective surface region is parabolic and has a first optical axis passing through the first focal point, and further wherein the second concave reflective surface region is parabolic and has a second optical axis passing through the second focal point.

Regarding claim 7, Bertling et al. discloses the second curvature is different than the first curvature (figure 2).

Regarding claim 8, Bertling et al. discloses the high intensity discharge light source comprises a xenon light source (gas discharge lamps includes xenon light source).

Regarding claim 9, Bertling et al. discloses a reflector comprising first and second reflective concave surface regions adjacent to one another, the first reflective concave surface region comprising a first curvature for directing light emanating from a first focal point adjacent to but spaced apart from the first reflective concave surface region into a near filed beam (low beam headlight; column 4, lines 40-65), the first reflective concave surface region having a first peripheral edge (outer ring of the reflector 20) with opposite ends and a first internal edge (discontinuity) extending between the opposite ends of the first peripheral edge, the second reflective concave surface region comprising a second curvature for directing light emanating from a

second focal point adjacent to but spaced apart from the second reflective concave surface region into a far field beam (column 4 & 5, lines 65-35), the second reflective concave surface region having a second peripheral edge (outer ring of the reflector 12) with opposite ends and a second internal edge (discontinuity) extending between the opposite ends of the second peripheral edge, the respective opposite ends of the first and second peripheral edges interfacing one another (connection point/line of outer shape of the reflector 12 & 20 and discontinuity) and the first and second internal edges interfacing one another (discontinuity between the upper reflector portion 12 and the lower reflector portion 20), a first light source positioned substantially at the first focal point, the first light source comprising a high intensity discharge light source, a second light source positioned substantially at the second focal point, the second light source comprising a halogen light source, and a light-transmissive cover fitted over the reflector.

Regarding claim 10, Bertling et al. discloses the first and second peripheral edges are arcuate (figure 2).

Regarding claim 11, Bertling et al. discloses the first and second peripheral edges define a substantially circular outer perimeter of the reflector (figure 2).

Regarding claim 12, Bertling et al. discloses the first and second reflective concave surface regions are integral with one another (figure 1 & 2).

Regarding claim 13, Bertling et al. discloses the reflector is a unitary piece.

Regarding claim 14, Bertling et al. discloses the first and second internal edges interface and adjoin one another to define a ridge (21).

Regarding claim 15, Bertling et al. discloses the first concave reflective surface region is parabolic and has a first optical axis passing through the first focal point, and further wherein the second concave reflective surface region is parabolic and has a second optical axis passing through the second focal point.

Regarding claim 16, Bertling et al. discloses the second curvature differs from the first curvature.

Regarding claim 17, Bertling et al. discloses the high intensity discharge light source comprises a xenon light source.

Regarding claim 18, Bertling et al. discloses a first reflective concave surface region comprising a first curvature for directing light emanating from a first focal point adjacent to but spaced apart from the first reflective concave surface region into a near field beam, the first reflective concave surface region having a first arcuate peripheral edge with opposite ends and a first internal edge extending between the opposite ends of the first arcuate peripheral edge, a second reflective concave surface region adjacent the first reflective concave surface region and comprising a second curvature for directing light emanating from a second focal point adjacent to but spaced apart from the second reflective concave surface region into a far field beam, the second reflective concave surface region having a second arcuate peripheral edge with opposite ends and a second internal edge extending between the opposite ends of the second arcuate peripheral edge, the respective opposite ends of the first and second peripheral edges interfacing one another to define a substantially circular outer perimeter of the reflector and the first and second internal edges interfacing one another.

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Regarding claim 19, Bertling et al. discloses the first and second reflective concave surface regions are integral with one another.

Regarding claim 20, Bertling et al. discloses the reflector is a unitary piece.

Regarding claim 21, Bertling et al. discloses the first concave reflective surface region is parabolic and has a first optical axis passing through the first focal point, and further wherein the second concave reflective surface region is parabolic and has a second optical axis passing through the second focal point.

Regarding claim 22, Bertling et al. discloses the second curvature is different from the first curvature.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y Choi whose telephone number is (703) 308-4792. The examiner can normally be reached on Monday-Friday (10:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-7724.



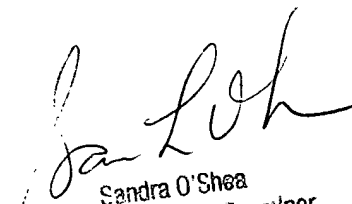
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JC

May 7, 2003

  
Sandra O'Shea  
Supervisory Patent Examiner  
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